



AUGUST 18, 2020

3:00 P.M.

**CITY COUNCIL
WORKSHOP AGENDA**



**NOTICE OF WORKSHOP OF THE CITY COUNCIL OF
THE CITY OF HARKER HEIGHTS, TEXAS
VIA TELECONFERENCE**

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Notice is hereby given that, beginning at 3:00 p.m. on Tuesday, August 18, 2020, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will conduct a telephonic workshop meeting to contain the spread of COVID-19 in accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020. The subjects to be discussed are listed in the following agenda:

WORKSHOP AGENDA

Mayor
Spencer H. Smith

Mayor Protem
Michael Blomquist

City Council
Jennifer McCann
Jackeline Soriano Fountain
John Reider
Jody Nicholas

I. Roll Call:

II. Presentations by Citizens:

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and address for the record and limit your comments to three minutes.

III. New Business:

1. Receive and discuss a presentation of the results of the Virtual Public Forum and proposed Ordinance regarding Potential Residential Parking Ordinances. (Planning and Development Director).
2. Receive and discuss a presentation regarding the Adoption of the 2018 International Swimming Pool and Spa Code (ISPSA). (Planning and Development Director)
3. Receive and discuss a presentation regarding the Adoption of the 2020 National Electrical Code (NEC). (Planning and Development Director)

IV. Adjournment:

I hereby certify that the above notice of meeting was posted on the window board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the 14th day of August 2020 by 2:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Juliette Helsham
City Secretary

The public may participate remotely in this meeting by dialing-in using the toll-free number: (877) 309-2073 and use Access Code: 451-744-253.

To join the meeting from your computer, tablet or smartphone, use the following meeting link: <https://global.gotomeeting.com/join/451744253>

The public will be permitted to offer public comments telephonically as provided by the agenda. Written questions or comments may be submitted two hours before the meeting to the City Secretary's Office. When submitting your written questions or comments, you must include your Name and Address. Agenda packet and recording of the telephonic meeting will be available on the City of Harker Heights website at www.ci.harker-heights.tx.us.

"This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5614, or email jhelsham@harkerheights.gov for further information."

"Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary."



CITY COUNCIL MEMORANDUM

AGENDA ITEM # III-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 18, 2020

RECEIVE AND DISCUSS A PRESENTATION OF THE RESULTS OF THE VIRTUAL PUBLIC FORUM AND PROPOSED ORDINANCE REGARDING POTENTIAL RESIDENTIAL PARKING ORDINANCES

EXPLANATION:

Staff is researching potential ordinances to:

1. Eliminate heavy vehicle parking in residential areas and
2. Parking on lawns in residential areas.

Staff originally held workshops with the City Council on these issues on August 7, 2018, and February 27, 2019, and held a Public Forum on July 15, 2019. Using input from those workshops and the public forum, an ordinances were drafted. These draft ordinances were presented to the citizens of Harker Heights for review and comment via a Virtual Public Forum. That forum was available from July 20, 2020, to August 10, 2020. Staff is presenting those findings and potential alternatives from the Virtual Public Forum this evening.

DRAFT HEAVY VEHICLE PARKING ORDINANCE:

The current heavy vehicle ordinance prohibits the parking of heavy vehicles, excluding RVs, on a residential lot unless the owner has obtained a heavy vehicle parking permit. The proposed ordinance would revise the existing ordinance to eliminate the ability to obtain a heavy vehicle parking permit, therefore eliminating heavy vehicle parking in residential areas, with limited exceptions. As part of the ordinance, staff is recommending allowing one year for properties to come into compliance.

DRAFT RESIDENTIAL PARKING ON LAWNS ORDINANCE:

Currently, there is no prohibition on parking motor vehicles and trailers on lawns in residential properties; this prohibition does exist for commercial properties. The proposed ordinance would prohibit parking on residential lawns, limit the parking areas added to existing lots, and allow provisions for grandfathering. As part of the ordinance, staff is recommending allowing one year for properties to come into compliance.

VIRTUAL PUBLIC FORUM RESPONSES:

Staff received 31 comments from citizens during the Virtual Public Forum, and when applicable, responded to these comments or questions (attached). Below is a table summarizing the key issues and questions of staff; please note several citizen responses covered multiple topics.

KEY ISSUE	MENTIONS	EXAMPLE COMMENTS
Existing Vehicles Parked on the Street or in Driveways	5	Too many vehicles are parked on the street; too many vehicles are parked in driveways; Can we limit the number of vehicles parked at a residence?
Semi-Trucks and RVs	5	Exempt/Do Not Exempt RVs from the parking on the grass ordinance; If heavy vehicle parking ordinance is adopted, where can semi-trucks park?
Utility Trailers	3 emails and 1 telephone call	Exempt utility trailers from the parking on the grass ordinance; What if a trailer is empty and screened?
Rural/Large Tracts	3	Exempt large/rural properties from the parking on the grass ordinance
Land Rights Issues	7 (including 1 telephone call)	The City is overreaching its authority; The City has no right to regulate private property
Private/Daily Vehicle Usage	5	My Suburban/Tahoe/Pickup Truck qualifies as a heavy vehicle; If the heavy vehicle ordinance is adopted, will I be prohibited from parking my Suburban/Tahoe/Pickup Truck at my house?
Disability Concerns	1	Can I park in the grass to load/unload a wheelchair-bound passenger?
Grandfathering	4 and 1 meeting	Is there grandfathering for parking on the grass? What if I cannot afford to build concrete parking spaces?
Tow Trucks	1 meeting	Exempt tow trucks from the heavy vehicle parking ordinance, as they are considered emergency responders and are often on call on nights and weekends
Percentage of Yard Use	6	Do the proposed limitations of the amount of the lawn to be paved include pools, patios, or decks? If I currently exceed those percentages, am I grandfathered, or will I have to remove concrete areas from my lawn?
Off-Base/Robo Generated	2	Appears to be bot-generated random comments not related to the topics
Compliments on the Ordinances	7	Compliments on moving forward with the ordinances

From these comments and questions, staff has identified potential options for modifying the proposed ordinances:

HEAVY VEHICLE PARKING ORDINANCE

- Update heavy vehicle parameters
- Do not exempt RVs
- Continue to exempt RVs
- Exempt on-call tow trucks

RESIDENTIAL PARKING ON LAWNS ORDINANCE

- Exempt utility/lawn care trailers
- Exempt empty and/or screened trailers
- Exempt RVs
- Exempt large/rural properties

BOTH ORDINANCES OR UNRELATED

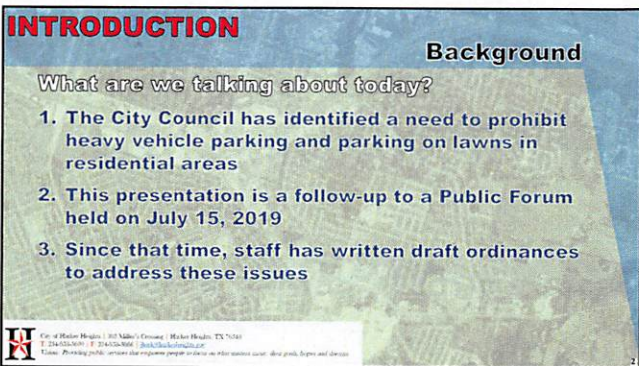
- Do not adopt these ordinances
- Limit the number of cars parked at a residence
- Limit the number of cars parked in the street

ATTACHMENTS:

1. PowerPoint Presentation
2. Draft Heavy Vehicle Redlined Ordinance
3. Draft Parking on Residential Lawns Ordinance
4. Virtual Public Forum Questions/Comments; Including Staff Responses



1



2



3

INTRODUCTION

Responsibilities

What should you expect from us?

1. Listen to, document, and analyze your comments and concerns
2. Reply to your comments if you request that we follow up with you
3. Take your comments and our analysis back to the City Council to produce the final versions of the ordinances

City of Houston | 303 Miller's Crossing | Houston, Texas 77002
 T: 281.755.3000 | F: 281.755.3000 | publicaffairs@houstontx.gov
 Hours: Providing public services that improve people's lives in our communities. Open: 9am-5pm, 7 days a week.

4

HEAVY VEHICLE PARKING

Draft Ordinance

§ 72.21 PARKING CERTAIN HEAVY VEHICLES.

(C) It shall be unlawful for a person who owns or operates a heavy vehicle, except a recreational vehicle, to park or leave same standing so as to encroach upon any residential property zoned D-1, D-1-M, D-2, D-3, D-4-M, or RM-1, unless at the time of the alleged offense there is conspicuously displayed upon the heavy vehicle a valid permit as provided in § 72.23, zoned property.

~~§ 72.21 PARKING CERTAIN HEAVY VEHICLES.~~

~~(Delete entire section)~~

City of Houston | 303 Miller's Crossing | Houston, Texas 77002
 T: 281.755.3000 | F: 281.755.3000 | publicaffairs@houstontx.gov
 Hours: Providing public services that improve people's lives in our communities. Open: 9am-5pm, 7 days a week.

5

PARKING ON RESIDENTIAL LAWNS

Draft Ordinance

§ 165.069 Residential Parking in Landscaped Areas Prohibited

(A) It shall be an offense for a person to park a vehicle, trailer, or recreational vehicle on a landscaped area in a residential zoning district...

- Parking in your yard is prohibited
- Unless there is a mechanical defect that is unsafe to move
- Disabled vehicles should be moved as soon as possible

City of Houston | 303 Miller's Crossing | Houston, Texas 77002
 T: 281.755.3000 | F: 281.755.3000 | publicaffairs@houstontx.gov
 Hours: Providing public services that improve people's lives in our communities. Open: 9am-5pm, 7 days a week.

6

PARKING ON RESIDENTIAL LAWNS
Draft Ordinance

§ 155.069 Residential Parking in Landscaped Areas Prohibited

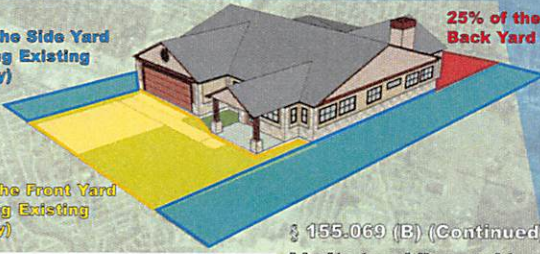
(B) All-weather parking areas in residential zoning districts shall require an approved building permit...

- All-weather is typically defined as concrete or asphalt
- If you decide to add additional parking spaces, you will need to get a permit
- The Building Official may require a drainage study to ensure the protection of your neighbors from stormwater runoff

City of Huston Heights | 303 Miller Crossing | Huston Heights, TX 75744
T: 281.755.3600 | F: 281.755.3601 | info@houstonheights.org
Notice: Providing public services that requires people to follow an official routine cannot: show people, figures and drawings

7

PARKING ON RESIDENTIAL LAWNS
Draft Ordinance



50% of the Side Yard (including Existing Driveway)

25% of the Back Yard

50% of the Front Yard (including Existing Driveway)

§ 155.069 (B) (Continued)
Limits to adding parking spaces in the yard

City of Huston Heights | 303 Miller Crossing | Huston Heights, TX 75744
T: 281.755.3600 | F: 281.755.3601 | info@houstonheights.org
Notice: Providing public services that requires people to follow an official routine cannot: show people, figures and drawings

8

PARKING ON RESIDENTIAL LAWNS
Draft Ordinance

§ 155.069 Residential Parking in Landscaped Areas Prohibited

(C) Existing, non-conforming residences, as of the date of adoption of this ordinance, shall provide the minimal all-weather off-street parking areas as required...

- Properties without the required all-weather parking spaces (grandfathered) must come into compliance
- You must report to the City to be considered grandfathered
- This does NOT include grandfathered driveways; you will NOT have to pave an existing, non-compliant driveway

City of Huston Heights | 303 Miller Crossing | Huston Heights, TX 75744
T: 281.755.3600 | F: 281.755.3601 | info@houstonheights.org
Notice: Providing public services that requires people to follow an official routine cannot: show people, figures and drawings

9

PARKING ON RESIDENTIAL LAWNS
Draft Ordinance

§ 155.069 Residential Parking in Landscaped Areas Prohibited

(C) Existing, non-conforming residences, as of the date of adoption of this ordinance, shall provide the minimal all-weather off-street parking areas as required... (Continued)

- Grandfathered properties can use decomposed granite, gravel, pavers, or other materials approved by the Building Official in addition to all-weather surface materials
- If grandfathered properties construct more than 3 parking spaces with alternative materials, the additional spaces must be all-weather

City of Houston Heights | 303 Main Street | Houston Heights, TX 77040
T: 281.475.5600 | F: 281.475.5601 | info@houstonheights.org
Trans: Providing public services that support people to live in our vibrant communities. One goal. Infinite ideas.

10

PARKING ON RESIDENTIAL LAWNS
Draft Ordinance

§ 155.069 Residential Parking in Landscaped Areas Prohibited

(D) This section does not apply to:

- (1) Vehicles owned or leased by the City...
- (2) Vehicles otherwise lawfully parked or left standing:
 - a) At a construction site...
 - b) By public utility companies...
- (3) Agricultural machinery or implements

Boats, trailers, RVs, etc. are not exempt

City of Houston Heights | 303 Main Street | Houston Heights, TX 77040
T: 281.475.5600 | F: 281.475.5601 | info@houstonheights.org
Trans: Providing public services that support people to live in our vibrant communities. One goal. Infinite ideas.

11

FUTURE ACTIONS
Next Steps

What happens next?

1. This presentation will be available for viewing and comments until August 10, 2020
2. We will compile input from this presentation and other sources into final draft ordinances
3. The City Council will review and discuss the final drafts in a workshop on August 18, 2020 beginning at 3:00 pm
4. The City Council will adopt the ordinances in a meeting on August 25, 2020 beginning at 5:00 pm

City of Houston Heights | 303 Main Street | Houston Heights, TX 77040
T: 281.475.5600 | F: 281.475.5601 | info@houstonheights.org
Trans: Providing public services that support people to live in our vibrant communities. One goal. Infinite ideas.

12

FUTURE ACTIONS

Enforcement

How will the ordinances work?

1. The ordinances will go into effect immediately upon adoption
2. The ordinances will not be fully enforced for a year to allow for preparation and educational outreach
3. The City will advertise the new ordinances via social media, press releases, and flyers in the water bills
4. The City will actively engage with non-compliant property owners to get them into compliance

City of Huston Heights | 303 Miller's Crossing | Huston Heights, TN 37044
T: 615.475.3000 | F: 615.475.3001 | josh@houstonheights.org
Huston Heights is a public service that requires people to follow the rules. Please don't break the rules. Please don't break the rules.

13

CITIZEN COMMENTS

KEY ISSUE	MENTIONS	EXAMPLE COMMENTS
Existing Vehicles Parked on the Street or in Driveways	5	Too many vehicles are parked on the street; too many vehicles are parked in driveways; Can we limit the number of vehicles parked at a residence?
Semi-Trucks and RVs	5	Exempt/Do Not Exempt RVs from the parking on the grass ordinance; If heavy vehicle parking ordinance is adopted, where can semi-trucks park?
Utility Trailers	3 emails and 1 telephone call	Exempt utility trailers from the parking on the grass ordinance; What if a trailer is empty and screened?
Rural/Large Tracts	3	Exempt large/rural properties from the parking on the grass ordinance
Land Rights Issues	7 (including 1 telephone call)	The City is overreaching its authority; The City has no right to regulate private property
Private/Daily Vehicle Usage	5	My Suburban/Tahoe/Pickup Truck qualifies as a heavy vehicle; If the heavy vehicle ordinance is adopted, will I be prohibited from parking my Suburban/Tahoe/Pickup Truck at my house?
Disability Concerns	1	Can I park in the grass to load/unload a wheelchair-bound passenger?
Grandfathering	4 and 1 meeting	Is there grandfathering for parking on the grass? What if I cannot afford to build concrete parking spaces?
Tow Trucks	1 meeting	Exempt tow trucks from the heavy vehicle parking ordinance, as they are considered emergency responders and are often on call on nights and weekends
Percentage of Yard Use	6	Do the proposed limitations of the amount of the lawn to be paved include pools, patios, or decks? If I currently exceed those percentages, am I grandfathered, or will I have to remove concrete areas from my lawn?
Off-Base/Robo Generated	2	Appears to be bot-generated random comments not related to the topics
Compliments on the Ordinances	7	Compliments on moving forward with the ordinances

14

ADDITIONAL OPTIONS

Heavy Vehicle Parking Ordinance

- Update heavy vehicle parameters
- Do not exempt RVs
- Continue to exempt RVs
- Exempt on-call tow trucks

City of Huston Heights | 303 Miller's Crossing | Huston Heights, TN 37044
T: 615.475.3000 | F: 615.475.3001 | josh@houstonheights.org
Huston Heights is a public service that requires people to follow the rules. Please don't break the rules. Please don't break the rules.

15

ADDITIONAL OPTIONS

Parking on Residential Lawns Ordinance

- Exempt utility/lawn care trailers
- Exempt empty and/or screened trailers
- Exempt RVs
- Exempt large/rural properties



City of Houston Heights / 303 Miller's Crossing / Houston Heights, TX 77043

T: 281-775-3000 / F: 281-775-3000 / info@houstonheights.org

Heights: Providing public services that everyone pays for to live in an vibrant community: their goals, hopes, and dreams.


16

16

ADDITIONAL OPTIONS

Both Ordinances or Unrelated

- Do not adopt these ordinances
- Limit the number of cars parked at a residence
- Limit the number of cars parked in the street



City of Houston Heights / 303 Miller's Crossing / Houston Heights, TX 77043

T: 281-775-3000 / F: 281-775-3000 / info@houstonheights.org

Heights: Providing public services that everyone pays for to live in an vibrant community: their goals, hopes, and dreams.

17

17

HEAVY VEHICLE PARKING REGULATIONS

§ 72.20 GENERALLY.

(A) As used in this subchapter, the term "heavy vehicle" shall mean and refer to:

- (1) Any motor vehicle which is 18 feet or more in length; or
- (2) Any motor vehicle which is seven feet or more in width; or
- (3) Any motor vehicle which is nine feet or more in height; or
- (4) Any motor vehicle which exceeds a gross vehicle weight of 10,000 pounds (generally excludes one-ton vehicles with manufacturer's rated carrying capacity not to exceed 2,000 pounds); or
- (5) Trucks, truck tractors, or the implement thereof which exceed a gross weight of 10,000 pounds (trailer plus its load).

(B) Nothing herein shall be construed to permit parking in a manner, time, or location otherwise prohibited by law.

(Ord. 99-36, passed 10-26-99)

§ 72.21 PARKING CERTAIN HEAVY VEHICLES.

(A) This section does not apply to:

- (1) Heavy vehicles owned or leased by the City while being used by employees or agents of the City in the performance of their City duties; or
- (2) Heavy vehicles otherwise lawfully parked or left standing:
 - (a) At a construction site while construction is in progress; or
 - (b) By public utility companies at a location where public service utilities are being repaired, installed, maintained, relocated, or extended.

(B) It shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing so as to encroach upon any alley, public street or right of way.

(C) It shall be unlawful for a person who owns or operates a heavy vehicle, except a recreational vehicle, to park or leave same standing so as to encroach upon any residential ~~property zoned R-1, R1-M, R-2, R-3, R-MH, or RT-1, unless at the time of the alleged offense there is conspicuously displayed upon the heavy vehicle a valid permit as provided in § 72.23 zoned property.~~

(D) It shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing so as to encroach upon any commercial property which is not owned or leased by the owner or operator of the heavy vehicle, unless the vehicle is parked on a truck lot.

(E) It shall be an affirmative defense to prosecution under paragraph (D) of this section that at the time of the alleged offense:

- (1) The vehicle was otherwise lawfully parked;

(2) The owner or operator of the vehicle was in the actual course and scope of loading, unloading, or providing goods or services to, or acquiring goods or services from, the occupant of property upon which the vehicle was parked;

(3) There were no other locations in the immediate vicinity where the vehicle could be lawfully parked; and

(4) The vehicle was removed from the property as soon as reasonably possible following completion of the loading, unloading, or provision or acquisition of goods or services.

(F) It shall be an affirmative defense to prosecution under paragraphs (B), (C) and (D) of this section that at the time of the alleged offense the heavy vehicle was otherwise lawfully parked or stopped due to a mechanical defect which made it unsafe to operate the vehicle, provided that as soon as reasonably possible the driver or operator completed emergency repairs, effected a load transfer to another vehicle, or summoned tow removal equipment, as appropriate.

(Ord. 99-36, passed 10-26-99) Penalty, see §§ 70.99 and 72.24

§ 72.22 ACCESSORY EQUIPMENT.

It shall be unlawful for any person owning or having control of a heavy vehicle to park or leave standing said heavy vehicle with the motor or accessory equipment (such as a refrigeration unit generator) running, unless such heavy vehicle is parked upon commercial property which is owned or leased by the owner or operator of the heavy vehicle.

(Ord. 99-36, passed 10-26-99) Penalty, see §§ 70.99 and 72.24

~~§ 72.23 RESIDENTIAL PARKING PERMIT.~~

~~—(A) Notwithstanding § 72.21, a heavy vehicle may be parked on residential property zoned R-1, R1-M, R-2, R-3, R-MH or RT-1 if there is conspicuously displayed on the vehicle a valid permit approved by the City Manager in accordance with this section.~~

~~—(B) The application for a permit shall be filed with the Planning and Development Department, and the permit, if issued, shall be renewable annually upon application and the subsequent inspection of the property. A fee shall be charged for each permit application and renewal in the amount established and published annually in the City Fee Schedule.~~

~~—(C) The City Manager shall approve or disapprove an application for the issuance or renewal of a permit within 45 days following the date on which the properly completed application is filed. Failure of the City Manager to approve an application within such 45-day period shall result in the administrative disapproval of such application.~~

~~—(D) The City Manager shall deny or revoke the permit if the application contains false or misleading information, or if the applicant at any time fails to meet the following requirements. No permit shall be issued until the following minimum requirements have been satisfied:~~

~~—(1) The applicant is the owner of the heavy vehicle for which the permit is to be issued.~~

~~—(2) All neighbors within 200 feet of the property where the heavy vehicle is to be parked have been notified of the filing of the permit application.~~

~~—(3) The Property upon which the heavy vehicle is to be parked is occupied by the applicant as his residence.~~

~~—(4) Improvements necessary for the issuance of the permit, if any, must be completed before the permit is granted.~~

~~—(5) The parking area shall meet the standards for off street parking established in § 155.062, and must be improved with a hard surface with an adequate size of apron to allow for the maneuvering of the heavy vehicle onto and off the public street.~~

~~—(6) The parking area is located no closer than ten feet from the front property line and seven feet from any side property line.~~

~~—(7) The applicant must not have any outstanding parking or moving traffic violations issued by the City.~~

~~—(E) A permit issued under this section shall specify the vehicle to which it applies, the location where the vehicle is to be parked and, if the vehicle is subject to the restrictions established by § 76.04, an approved route of travel between the parking location and the nearest approved truck route.~~

~~—(F) The permit may not be transferred or assigned, and if the permit holder ceases to occupy the property for which the permit is issued the permit shall become null and void.~~

~~—(G) If the City Manager denies the issuance of a permit, or revokes a permit, he shall send to the applicant at the address shown on the most recent application, by certified mail, return receipt requested, written notice of such action and the right to appeal. The applicant may appeal the decision in writing to the City Council within 15 days of the receipt of the notice. The City Council shall act on the appeal within 60 days after an appeal is filed with the City Secretary. The filing of an appeal stays the action of the City Manager until the City Council makes a final decision.~~

~~(Ord. 99-36, passed 10-26-99) Penalty, see §§ 70.99 and 72.24~~

§ 72.24 REMOVAL OF VIOLATIONS.

A heavy vehicle parked or left standing in violation of any provision of this subchapter is subject to immediate towing and impoundment.

(Ord. 99-36, passed 10-26-99) Penalty, see § 70.99

OFF-STREET PARKING AND LOADING REQUIREMENTS

§ 155.069 Residential Parking in Landscaped Areas Prohibited

- (A) It shall be an offense for a person to park a vehicle, trailer, or recreational vehicle on a landscaped area in a residential zoning district. It shall be an affirmative defense to prosecution under this division that at the time of the alleged offense the vehicle was parked or left standing due to a mechanical defect which made it unsafe to move, provided that the person having ownership or control of the vehicle, as soon as reasonably possible, completed emergency repairs or summoned tow removal equipment, as appropriate.
- (B) All-weather parking areas in residential zoning districts shall require an approved building permit. The Building Official shall have the right to require an approved drainage plan for any such permit, as deemed necessary.
 - (1) Such parking areas shall be limited to 50% of the area of the front yard or side yard, including the required all-weather driveway and/or off-street parking area as determined by the requirements of the zoning district in which the property is located.
 - (2) Such parking areas shall be limited to 25% of the area of the rear yard.
- (C) Existing, non-conforming residences, as of the date of adoption of this ordinance, shall provide the minimal all-weather off-street parking areas as required by the zoning district in which the property is located.
 - (1) In this circumstance, decomposed granite, pavers, or other similar material shall be considered all-weather, at the discretion of the Building Official.
 - (2) In this circumstance, parking areas exceeding three (3) parking spaces shall be required to meet the requirements of § 155.068 (B) of this chapter.
 - (3) In this circumstance, such parking areas shall be required to meet the requirements of § 155.068 (B)(1) and § 155.068 (B)(2) of this chapter.
- (D) This section does not apply to:
 - (1) Vehicles owned or leased by the City while being used by employees or agents of the City in the performance of their City duties; or
 - (2) Vehicles otherwise lawfully parked or left standing:
 - a) At a construction site while construction is in progress; or
 - b) By public utility companies at a location where public service utilities are being repaired, installed, maintained, relocated, or extended; or
 - (3) Agricultural machinery or implements.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:29 PM
To: Joseph Molis
Subject: FW: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

1

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Tuesday, July 21, 2020 4:00 PM
To: qecdiretor@yahoo.com
Subject: RE: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Shannon,

Thank you for your participation and feedback.

The proposed ordinance would not restrict residents from parking their vehicles or trailers in their back yards; it just requires that they be on an all-weather surface, such as concrete or asphalt. It also limits the amount of paving to 25% of the back yard. We did consider proposing a ban on parking in back yards, but most municipalities in the area allow it, and there are some legitimate reasons for doing so.

For one, it keeps those vehicles off of the streets and driveways, which aids in freeing up sight lines along the street. It also screens the vehicles and trailers from view of the public and allows the owners to better secure them against theft and vandalism.

As to cars parked in the street, this ordinance would not impact that occurrence. However, in our current Code of Ordinances, it is not permitted to park trailers in street for more than 72 consecutive hours in any 7-day period or no more than twice, no matter the duration, in any 30-day period (Section 72.15).

Thank you again for your participation, and please do not hesitate to contact us should you have additional questions or comments.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: gecdirector@yahoo.com <gecdirector@yahoo.com>

Sent: Monday, July 20, 2020 5:38 PM

To: Joseph Molis <jmolis@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>

Subject: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Good afternoon,

I watched your presentation and I just had a question, we have homeowners in our HOA that park there boats, jet ski's and I have even seen cars parked in the back yard. With this change, if I heard this right homeowners, would no longer be able to do this correct?

We have been contacting code enforcement regarding cars parked in the street, in some areas it causes a lot of site line and safety issues. I hope we will get a point where vehicle parking in the street could be limited. We had to sell our house in Skipcha and move to a HOA because the vehicle parking in the street got to a point we could not even get out of driveway to go to work.

Please let me know of the boats and cars in the back yard, we want to make sure to notify the homeowners if that is going to include those items.

Thank you,

Shannon

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:29 PM
To: Joseph Molis
Subject: FW: New ordinance

2

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Tuesday, July 21, 2020 4:19 PM
To: Justin Oaks <oaksj254@gmail.com>
Subject: RE: New ordinance

Mr. Oaks,

Thank you for your participation and question regarding the ordinance to prohibit parking on the grass. As currently written, this ordinance proposes to only limit paving for parking areas (up to 25% of the back yard), and would therefore not impact patios or swimming pools. When you apply for a permit for your covered patio and pool, the Building Official will make a determination as to whether or not you will need to show how you are impacting drainage in your yard and may ask you to provide additional information.

Thank you again for your participation and please do not hesitate to contact us should you have additional questions or comments. Your question will be included within our frequently asked question (FAQ) document.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Justin Oaks <oaksj254@gmail.com>
Sent: Tuesday, July 21, 2020 9:11 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: New ordinance

Hello Jerry - I was watching and listening in on the virtual meeting and I have a concern about the new ordinance for asphalt/concrete in the back yard of my home. According to the new ordinance only 25% of my back yard can be asphalt. I just signed a contract for my in-ground pool to get built in January. Is the size of the actual pool considered to be part of the asphalt? I am asking this because I plan to add additional asphalt for a covered patio and with the pool


and additional asphalt it will cover approximately 70 percent of my small back yard. This will be important to know as I am in the process of planning and designing my backyard.

Thanks - Justin oaks
#254-338-3181
515 chinook circle
HH Tx 76548

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:30 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

3

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
 **T:** 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Tuesday, July 21, 2020 4:28 PM
To: palmerjf@hotmail.com
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Palmer,

Thank you for your participation in the virtual public forum. Unfortunately, the ordinances in which we are tasked do not address parking in the streets and we will need to address that issue in a different forum.

As currently written, the proposed ordinance would allow individuals to park vehicles in their back yards and they would be required to obtain a permit and use materials approved by our Code. This should alleviate issues with leaking chemicals and collapsing of underground infrastructure. Furthermore, grandfathering this ordinance would still require compliance and a permit; it only gives the property owner a chance to use alternative materials for their existing parking needs.

Thank you again for your participation and please do not hesitate to contact us should you have additional questions or comments. Your question will be included within our frequently asked question (FAQ) document

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
 **T:** 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Tuesday, July 21, 2020 9:41 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Jackson Palmer

E-mail

palmerjf@hotmail.com

Comments and Questions

There should not be circumstances that allows multi-vehicles(more than 3) parked on residential streets. allowing that there may be multiple drivers residing at a home, good sense must be applied. using our streets to contain your vehicle collection should be ended now. hiding vehicles behind fences in back yard needs to be ended; multiple chance of chemical leakage, collapsing of underground pipes, etc has negative impact. grandfathering needs to be

strictly limited and enforced. Here in Country Trails(the zoo), the lack of sidewalks places walkers out into roadway when encountering street parked vehicles; you would think walkers would pay attention to traffic; they don't. good job in going after this issue.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:30 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

4

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Tuesday, July 21, 2020 4:38 PM
To: dick@dwinellonline.com
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Dwinell,

Thank you for participating in the virtual public forum. While the current ordinances allow heavy vehicle parking with a permit, due to the numerous complaints we have received from residents regarding the heavy vehicles, this proposed ordinance would ban this practice. For those that have obtained permits, the intent is to allow them to expire as they come up for renewal. This gives the truck owner an opportunity to find a place to house their vehicle. More than likely give our thoughts would be to give them between 6 months to a year before we enforce the ordinance on permit holders. As of now, parking options include self-storage facilities and a truck parking lot on Veterans Memorial BLVD. We are working with 2 different developers who are planning to open additional truck parking lots, so hopefully there will be a few options in Harker Heights.

Thank you again for your participation and please do not hesitate to contact us should you have additional questions or comments. Your question will be included within our frequently asked question (FAQ) document

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Tuesday, July 21, 2020 11:52 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Dick Dwinell

E-mail

dick@dwinellonline.com

Comments and Questions

Agreed. My first impression was to allow permits for heavy vehicles, however, enforcement could be a problem. "Don't make laws not intended to be enforced." The consideration would be for truck drivers who are on the road during the week. Where do they park their truck when they come home?

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:30 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

5

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Tuesday, July 21, 2020 5:11 PM
To: 'DErikTheRed@hotmail.com' <DErikTheRed@hotmail.com>
Subject: RE: VIRTUAL PUBLIC FORUM

Mr. Sandlin,

Thank you for your participation and comments to the virtual public forum.

In answer to your first question, the City will investigate the impacts for handicapped vehicles from the proposed ordinance. What has been observed is that many residents in similar circumstances have paved an area for parking close to their doors, as it lessens wear and tear on their vehicles and provides a smooth, even surface for their mobility-impaired family members. Given your situation, the Code Enforcement Department is likely to work with you, if you make them aware.

As to your second question, the proposed ordinance as written would prohibit you from parking your riding lawnmower and trailer in the yard. Staff will investigate those circumstances as well.

Thank you again for taking a part of the process and if there are additional questions or comments please do not hesitate to contact me.

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Monday, July 20, 2020 9:33 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

D. Erik Sandlin

E-mail

DErikTheRed@hotmail.com

Comments and Questions

Well thought through and an excellent presentation.

Two thoughts to consider:

1. Because my wife is mobility disabled (stroke victim), I drive upon the grass to an area close to the front door, and then disembark to assist her to/from the vehicle. The effort takes less than five minutes, and we either depart or I park the vehicle on the driveway. Can we have an exemption for the handicapped for 'temporary parking?'
2. My property is about 1 1/2 acres and wooded. I typically tow a 4x8 utility trailer behind my riding lawn mower to collect fallen/cut tree and bush branches. Can we include such trailers in your definition of 'allowables?'

Congrats on the good work,

D. Erik Sandlin

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:31 PM
To: Joseph Molis
Subject: FW: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

6

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Shannon McRae <qecdirector@yahoo.com>
Sent: Tuesday, July 21, 2020 6:26 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Hello, thank you for your reply, we are on septic systems out here and we still have homeowners parking their boats and vehicles in the back yard on the grass.

I look forward to the coming changes, thank you!

Shannon

Sent from my iPhone

On Jul 21, 2020, at 4:00 PM, Jerry Bark <jbark@harkerheights.gov> wrote:

Shannon,

Thank you for your participation and feedback.

The proposed ordinance would not restrict residents from parking their vehicles or trailers in their back yards; it just requires that they be on an all-weather surface, such as concrete or asphalt. It also limits the amount of paving to 25% of the back yard. We did consider proposing a ban on parking in back yards, but most municipalities in the area allow it, and there are some legitimate reasons for doing so.

For one, it keeps those vehicles off of the streets and driveways, which aids in freeing up sight lines along the street. It also screens the vehicles and trailers from view of the public and allows the owners to better secure them against theft and vandalism.

As to cars parked in the street, this ordinance would not impact that occurrence. However, in our current Code of Ordinances, it is not permitted to park trailers in street for more than 72 consecutive hours in any 7-day period or no more than twice, no matter the duration, in any 30-day period (Section 72.15).

Thank you again for your participation, and please do not hesitate to contact us should you have additional questions or comments.

Sincerely,

<image002.png>

Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: gecdirector@yahoo.com <gecdirector@yahoo.com>

Sent: Monday, July 20, 2020 5:38 PM

To: Joseph Molis <jmolis@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>

Subject: Question- City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Good afternoon,

I watched your presentation and I just had a question, we have homeowners in our HOA that park there boats, jet ski's and I have even seen cars parked in the back yard. With this change, if I heard this right homeowners, would no longer be able to do this correct?

We have been contacting code enforcement regarding cars parked in the street, in some areas it causes a lot of site line and safety issues. I hope we will get a point where vehicle parking in the street could be limited. We had to sell our house in Skipcha and move to a HOA because the vehicle parking in the street got to a point we could not even get out of driveway to go to work.

Please let me know of the boats and cars in the back yard, we want to make sure to notify the homeowners if that is going to include those items.

Thank you,

Shannon

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:31 PM
To: Joseph Molis
Subject: FW: Proposed parking ordinance

7

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 8:44 AM
To: mstrgrnr75@yahoo.com
Subject: FW: Proposed parking ordinance

Mr. Sears,

Thank you for your participation in the virtual public forum. We, the City, can have someone from Code Enforcement look at your home, but as of now, your RV parking is not in violation of the Code of Ordinances and they would have nothing to report.

If the City Council decides to approve the proposed Codes as presented, your RV would need to be completely parked on the driveway or widen the existing driveway parking area so it can accommodate the entire RV.

Thank you again for your participation and please do not hesitate to contact us should you have additional questions or comments.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Aj Sears <mstrgrnr75@yahoo.com>
Sent: Wednesday, July 22, 2020 10:51 AM
To: Courtney Peres <cperes@harkerheights.gov>
Cc: Joseph Molis <jmolis@harkerheights.gov>
Subject: Proposed parking ordinance

Ms. Peres,

Good morning!

I watched the presentation on the proposed lawn parking ordinance. It raised a concern with my property and where I park my RV. Is it possible to have someone take a look and see if I need to do anything different? My driveway next to my house is made to park my RV. My RV sits about 2 feet off of my driveway. You can see the RV below outlined in red. My address is 3810 Quail Hollow Rd. Thank you for any assistance. My phone number is 254-423-2189



Best regards,

ADAM J SEARS

254-423-2189

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:31 PM
To: Joseph Molis
Subject: FW: Residential Parking ordinances

8

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 12:17 PM
To: Todd and Tamela Johnston <johnstont_2000@yahoo.com>
Subject: RE: Residential Parking ordinances

Ms. Johnston,

Thank you for your participation in the virtual public forum. When drafting this ordinance, city staff did consider exempting large-lot residences from the requirements for prohibiting vehicle parking on lawns. Aside from the aesthetic considerations for prohibiting parking on grass, the primary reason for promoting this ordinance is public safety, particularly the prevention of chemical leakage into the water table and minimizing the potential to start grass fires. For more background, please see this local news story from 2018:

<https://www.kwtx.com/content/news/Heat-sparks-local-crackdown-on-grass-parking-laws-489201941.html>

In this context, the fire danger has no correlation to the actual lot size and that was the decision to not have this exemption. Your question will be posted on the Frequently Asked Question (FAQ) document.

Thank you again for taking part in the process and if there are additional questions or comments please do not hesitate to contact us.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Todd and Tamela Johnston <johnstont_2000@yahoo.com>
Sent: Tuesday, July 21, 2020 2:23 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Residential Parking ordinances

Hello,

I just watched the youtube video regarding parking ordinances. While I understand the need for guidance regarding parking, especially where houses are on less than an acre lot, I personally feel there should be some stipulations. If your lot is large enough to park a trailer, rv, or otherwise seldom used item without causing an "eye sore" or blocking any line of sight, I feel this should be allowed. Other cities allow if behind the front of the house or even in the back yard. If we start paving everything there will be a multitude of issues. I would ask that this ordinance be updated to allow for a larger, more rural plot of land and/or change the ordinance to include the stipulation that vehicles should be parked behind the front of the house or behind a fence.

Thank you

Tamela Johnston

1802 Oakridge Cir Harker Heights

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:32 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

9

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 12:29 PM
To: d_herberger@icloud.com
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Herberger,

Thank you for taking a part in this process. I wanted to reach out to you and let you know that we received and acknowledge your comment.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Tuesday, July 21, 2020 5:03 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Dennis Herberger Jr

E-mail

d_herberger@icloud.com

Comments and Questions

Remarks from YouTube presentation:

Heavy Vehicles - I don't see any issues with the suggestions put forth. One comment on the roads and wear-and-tear, if you would make them out on concrete instead of asphalt, I'm sure they would last longer. Upfront cost is more but upkeep would be a lot less.

Yard Parking - I'm of two minds on this. I understand the wants of others in the appearance of the neighborhood and personally agree with it. I also see the importance of the draining issue. However, I also hold the belief of keeping the government out of my personal business and my property is my business. The street is one thing as it's a public forum in a sense, but my land is my land and I should be able to do with it as I please. Now, none of these issues would affect me directly in that I have no intention to perform any actions listed in the presentation. Just keep in mind that others may feel that you are encroaching on their liberties. I do feel this section of the presentation is an encroachment on Liberty.

You said in the video that you would follow up if requested. I only request an acknowledgement that my comment was received and read.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:32 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

10

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 12:38 PM
To: kmtjaden@gmail.com
Subject: FW: VIRTUAL PUBLIC FORUM

Ms. Tjaden,

Thank you for participating in the virtual public forum. Many corporate trucking companies and businesses provide facilities for parking their vehicles or have the ability to keep them on their properties, such as HEB, Walmart, Target, Rooms to Go, etc. For independent truckers, this ordinance would prevent them from parking their trucks at home and would require they seek other parking options, such as a self-storage facility or dedicated truck parking lot. As of now, parking options include self-storage facilities and a truck parking lot on Veterans Memorial BLVD. We are working with 2 different developers who are planning to open additional truck parking lots, so there will be a few options in Harker Heights.

Thank you for taking a part in the process. Please do not hesitate to contact us should you have additional comments or questions.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Tuesday, July 21, 2020 8:27:36 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Kayla Tjaden

E-mail

kmtjaden@gmail.com

Comments and Questions

I will pose the same question to Harker Heights as I did to Killeen: then how will you accommodate for semi-truck parking for truck driving citizens of your city? Or will they be forced to park in Salado and Temple and Waco for a cost per night? Then ask yourself, do you have to pay per night to park your vehicle in order to come home to see your family after being gone for weeks, sometimes months at a time? A communal parking lot for the residents of the area should be up for consideration, even if only a paved lot.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:32 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

11

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 12:43 PM
To: kayserhvac@yahoo.com
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Kayser,

Thank you for participating in the virtual public forum. Your question is an interesting one because your description of your personal vehicle would meet the current definition of a heavy vehicle. However, the intent of this ordinance is to prevent large commercial vehicles from disturbing their neighbors and damaging public streets. Code Enforcement officers are trained to ignore non-commercial vehicles when enforcing the existing ordinance, and we will look into taking this opportunity to update the definition of a heavy vehicle to account for larger, non-commercial vehicles.

Thank you for taking a part in the process. Please do not hesitate to contact us if you should have additional comments or questions.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Tuesday, July 21, 2020 10:29 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Jason Kayser

E-mail

kayserhvac@yahoo.com

Comments and Questions

So this ordinance would not allow my personally owned 2019 3500hd Denali Dual rear wheel pickup with a gvwr of 13025 lbs to be parked at my residence on my concrete driveway?

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:32 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

12

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Thursday, July 23, 2020 12:47 PM
To: kescajeda@nolanvilletx.gov
Subject: RE: VIRTUAL PUBLIC FORUM

Kara –
Thank you for the compliment. It's definitely a challenging time to proceed with town hall or public forums.

Hope all is well.

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Wednesday, July 22, 2020 5:04 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Kara Escajeda

E-mail

kescajeda@nolanvilletx.gov

Comments and Questions

Great presentation and use of virtual public meeting.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:33 PM
To: Joseph Molis
Subject: FW: Proposed parking ordinance

13

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Aj Sears <mstrgrnr75@yahoo.com>
Sent: Friday, July 24, 2020 8:09 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Proposed parking ordinance

Mr. Bark,

I truly appreciate your time and responses. Just to know that our City leadership is listening is comforting.

[Sent from Yahoo Mail for iPhone](#)

On Friday, July 24, 2020, 07:48, Jerry Bark <jbark@harkerheights.gov> wrote:

Mr. Sears,

As a City, we have to craft ordinances to apply to the majority of situations, and it becomes difficult to create an ordinance that foresees every possible scenario. The proposed ordinance is drafted to apply to as many situations as possible, and our Code Enforcement Officers are trained to recognize critical violations and respond according to their best judgement.

In response to your comment regarding the parking of City vehicles, we apologize for any confusion this may have caused. The actual text of the draft ordinance reads:

(D) This section does not apply to:

(1) Vehicles owned or leased by the City while being used by employees or agents of the City in the performance of their City duties...

This means City employees are to only park their City vehicles on landscaped areas in the execution of their jobs and not while they are at their homes.

Thank you again for the comments.



Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Aj Sears <mstrgrnr75@yahoo.com>
Sent: Thursday, July 23, 2020 9:08 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Proposed parking ordinance

Mr Bark,

Thank you for the response Sir. I really believe this law will miss it's intended target, and have widespread unintentional consequences for folks trying to do the right thing, especially in my situation.

In your presentation there are four issues that the presenter mentioned:

EPA issues/oil drainage onto pervious surface such as grass

Line of sight issues/blocking intersections

Lower property value/ eye sore

Impede first responders

My situation fits absolutely none of those. My rv has no oils to leak. The rv is nowhere near the street or intersection, and I guarantee none of my neighbors would complain about where its parked, as that is what is intended to be parked there. Also, where my rv is parked, it would aid first responders if an emergency arises in my back yard or building, and does not impede the front of my house at all.

I agree with not having junk parked in the front yard, or a junk yard in the back, but again, my situation does not fit those parameters. I would like to see this enforced on a case by case basis with a common sense approach. I Invite you to personally come see my situation.

On another note. I saw where city leased or owned vehicles are exempt. They have oil, along with other fluids that can be harmful to the environment, and I guarantee if an honest assessment was done on the fleet, there are leaks. Why should city vehicles be exempt when they pose the exact same dangers as a privately owned vehicle? I understand first responders tending to an emergency or utilities trucks needing to temporarily park on landscaped areas, but why should a city vehicle be allowed to be parked in the yard of the employees privately owned residence?

Thank you for your time Sir and look forward to working through this matter.

[Sent from Yahoo Mail for iPhone](#)

On Thursday, July 23, 2020, 08:43, Jerry Bark <jbark@harkerheights.gov> wrote:

Mr. Sears,

Thank you for your participation in the virtual public forum. We, the City, can have someone from Code Enforcement look at your home, but as of now, your RV parking is not in violation of the Code of Ordinances and they would have nothing to report.

If the City Council decides to approve the proposed Codes as presented, your RV would need to be completely parked on the driveway or widen the existing driveway parking area so it can accommodate the entire RV.

Thank you again for your participation and please do not hesitate to contact us should you have additional questions or comments.

Sincerely,



Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

*Vision: Providing public services that empower people to focus on what matters most:
their goals, hopes and dreams*

From: Aj Sears <mstrgrnr75@yahoo.com>
Sent: Wednesday, July 22, 2020 10:51 AM
To: Courtney Peres <cperes@harkerheights.gov>
Cc: Joseph Molis <jmolis@harkerheights.gov>
Subject: Proposed parking ordinance

Ms. Peres,

Good morning!

I watched the presentation on the proposed lawn parking ordinance. It raised a concern with my property and where I park my RV. Is it possible to have someone take a look and see if I need to do anything different? My driveway next to my house is made to park my RV. My RV sits about 2 feet off of my driveway. You can see the RV below outlined in red. My address is 3810 Quail Hollow Rd. Thank you for any assistance. My phone number is 254-423-2189



Best regards,
ADAM J SEARS
254-423-2189

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:33 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

14

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Friday, July 24, 2020 9:06 AM
To: pat.abrams112@icloud.com
Subject: RE: VIRTUAL PUBLIC FORUM

Mr. Abrams,

Thank you for your participation and comments for the virtual town forum.

It is our primary mission, as a staff, to ensure that our citizens live, work, and play in a supportive community that provides them the opportunity to achieve success in whatever endeavor they pursue. These ordinances were not borne from a desire to overreach governmental authority, but were in fact, the result of the requests of our citizens to protect *their* safety and ability to enjoy their property.

In drafting this ordinance, we discussed and understood the financial burden of coming into compliance. That is one of the main reasons for providing a year of education and preparation before the ordinance is enforced. This will enable property owners to determine the best solution to their situation and act on it; whether it be to limit their parking to their garages, driveways, and/or the street, or they can decide to build additional parking spaces as needed. If they are in a situation where they don't have *any* paved parking on their lot, whether due to being a rural lot or a very old one, there is a process in place to allow them to utilize alternative, less expansive materials, such as gravel, decomposed granite, or pavers.

Enforcement of the ordinance is another matter we considered. As with all ordinances, staff prefers to work with our citizens to come up with appropriate plans for coming into compliance. The majority, if not all, of these ordinances are brought forward as a necessity to enhance public safety and at the request of our citizens.

Thank you again for being a part of this process and do not hesitate to contact us if you should have additional questions or comments.

Sincerely,

Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548



T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>

Sent: Thursday, July 23, 2020 12:12 PM

To: Jerry Bark <jbark@harkerheights.gov>

Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Patrick Abrams

E-mail

pat.abrams112@icloud.com

Comments and Questions

First and foremost I am AGAINST this ordinance. There are several reasons behind this.

First and foremost unless the city is going to pay my mortgage, they have no right to tell me how I use my private property. As a free person (as all of us are) I do not and will not ask permission from any government on how I use my land. As long as I am not violating any laws, what I park on my grass is my business.

Secondly, by telling people they can only park on concrete, you are attempting to force people to spend money on pavement. What if they can't afford to do that. We recently got a quote to replace our drive way and it was upwards of 4500 dollars. As a disabled vet (as a lot of the population of Harker heights is) I cant afford that. Along those lines a lot of the population rents. The home owners may not be willing to accept that.

Thirdly, in the times we are living in right now, if this one ordinance is passed what are the fines for non compliance? I can tell you right now some will not pay. Are you going to put liens on the properties or force people out. Because if so, I for see lawsuits being filed. In these times people are getting tired of government and government officials over stepping their power. We the people are tired of being meddled with and just want to enjoy what the constitution promises. Life, LIBERTY, and the pursuits of happiness.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:33 PM
To: Joseph Molis
Subject: FW: Limit of vehicles parked on street

15

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Friday, July 24, 2020 9:57 AM
To: dannayseaman@gmail.com
Subject: RE: Limit of vehicles parked on street

Mr. Seaman,

Thank you for your participation in the virtual public forum. Currently, there are no such regulations that limit the number of cars parked in the street or at a residence, but it is an issue that we will bring forward to the City Council with our report from this virtual forum.

Again, thank you for taking part in this process and your question will be on the Frequently Asked Question (FAQ) document.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

-----Original Message-----

From: dannay seaman <dannayseaman@gmail.com>
Sent: Thursday, July 23, 2020 6:31 PM
To: Joseph Molis <jmolis@harkerheights.gov>
Subject: Limit of vehicles parked on street

Sir,

I just viewed the YouTube presentation in regards to heavy vehicles.

I personally think that is a great idea and a positive step towards making our community look more appealing.

I would like to ask if it were possible to have your office look at adopting something similar with the amount of cars that can be parked at a single dwelling home.

As an example; our neighbor across the street has multiple "members" living with them. They do not use the garage to store vehicles. Two are parked in the large driveway, and three are parked in the street which makes it extremely difficult for me to back out into the road.

This also causes the UPS, Postal Service, and other delivery vehicles have to park in the middle of the street to make deliveries. This causes traffic in both directions to be blocked.

I have spoke with my neighbor several times without resolve. I've tried the police department who states that they cannot do anything.

On a daily basis I have four cars parked across from my house, It looks like a hotel.

Is there a current policy restricting the amount of cars a family may have parked at their single Family dwelling? Is it possible to adapt something to keep so many cars of neighborhood roads that cause congestion?

Thank you,
Dan

CSM(r) Dan J Seaman
dannayseaman@gmail.com
661-618-0539

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:34 PM
To: Joseph Molis
Subject: FW: Limit of vehicles parked on street

16

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: dannay seaman <dannayseaman@gmail.com>
Sent: Friday, July 24, 2020 12:07 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Limit of vehicles parked on street

Thank you for responding to my email, and your interest in my concern.
Have a great day, and thank you for what you do.

Dan

On Fri, Jul 24, 2020 at 9:57 AM Jerry Bark <jbark@harkerheights.gov> wrote:

Mr. Seaman,

Thank you for your participation in the virtual public forum. Currently, there are no such regulations that limit the number of cars parked in the street or at a residence, but it is an issue that we will bring forward to the City Council with our report from this virtual forum.

Again, thank you for taking part in this process and your question will be on the Frequently Asked Question (FAQ) document.

Sincerely,



Jerry Bark

Interim Assistant City Manager

City of Harker Heights | [305 Miller's Crossing](#) | [Harker Heights, TX 76548](#)

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

-----Original Message-----

From: dannay seaman <dannayseaman@gmail.com>

Sent: Thursday, July 23, 2020 6:31 PM

To: Joseph Molis <jmolis@harkerheights.gov>

Subject: Limit of vehicles parked on street

Sir,

I just viewed the YouTube presentation in regards to heavy vehicles.

I personally think that is a great idea and a positive step towards making our community look more appealing.

I would like to ask if it were possible to have your office look at adopting something similar with the amount of cars that can be parked at a single dwelling home.

As an example; our neighbor across the street has multiple "members" living with them. They do not use the garage to store vehicles. Two are parked in the large driveway, and three are parked in the street which makes it extremely difficult for me to back out into the road.

This also causes the UPS, Postal Service, and other delivery vehicles have to park in the middle of the street to make deliveries. This causes traffic in both directions to be blocked.

I have spoke with my neighbor several times without resolve. I've tried the police department who states that they cannot do anything.

On a daily basis I have four cars parked across from my house, It looks like a hotel.

Is there a current policy restricting the amount of cars a family may have parked at their single Family dwelling? Is it possible to adapt something to keep so many cars of neighborhood roads that cause congestion?

Thank you,

Dan

CSM(r) Dan J Seaman

dannayseaman@gmail.com

661-618-0539

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:34 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

17

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Friday, July 24, 2020 12:09 PM
To: Patrick Abrams <pat.abrams112@icloud.com>
Subject: RE: VIRTUAL PUBLIC FORUM

Mr. Adams,

No sir, this has not been passed. This draft ordinance are comments and suggestions based on past concerns from citizens and from comments of the July 15, 2019 town hall meeting. The City Council will discuss this item at a Council Workshop on August 18th. Staff will compile a listing of suggestions / comments based from this Virtual Public Forum.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Patrick Abrams <pat.abrams112@icloud.com>
Sent: Friday, July 24, 2020 11:23 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: VIRTUAL PUBLIC FORUM

So quick question, has this already been passed.

On Jul 24, 2020, at 09:06, Jerry Bark <jbark@harkerheights.gov> wrote:

Mr. Abrams,

Thank you for your participation and comments for the virtual town forum.

It is our primary mission, as a staff, to ensure that our citizens live, work, and play in a supportive community that provides them the opportunity to achieve success in whatever endeavor they pursue. These ordinances were not borne from a desire to overreach governmental authority, but were in fact, the result of the requests of our citizens to protect *their* safety and ability to enjoy their property.

In drafting this ordinance, we discussed and understood the financial burden of coming into compliance. That is one of the main reasons for providing a year of education and preparation before the ordinance is enforced. This will enable property owners to determine the best solution to their situation and act on it; whether it be to limit their parking to their garages, driveways, and/or the street, or they can decide to build additional parking spaces as needed. If they are in a situation where they don't have *any* paved parking on their lot, whether due to being a rural lot or a very old one, there is a process in place to allow them to utilize alternative, less expansive materials, such as gravel, decomposed granite, or pavers.

Enforcement of the ordinance is another matter we considered. As with all ordinances, staff prefers to work with our citizens to come up with appropriate plans for coming into compliance. The majority, if not all, of these ordinances are brought forward as a necessity to enhance public safety and at the request of our citizens.

Thank you again for being a part of this process and do not hesitate to contact us if you should have additional questions or comments.

Sincerely,

<image002.png>

Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>

Sent: Thursday, July 23, 2020 12:12 PM

To: Jerry Bark <jbark@harkerheights.gov>

Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Patrick Abrams

E-mail

pat.abrams112@icloud.com

Comments and Questions

First and foremost I am AGAINST this ordinance. There are several reasons behind this.

First and foremost unless the city is going to pay my mortgage, they have no right to tell me how I use my private property. As a free person (as all of us are) I do not and will not ask permission from any government on how I use my land. As long as I am not violating any laws, what I park on my grass is my business.

Secondly, by telling people they can only park on concrete, you are attempting to force people to spend money on pavement. What if they can't afford to do that. We recently got a quote to replace our drive way and it was upwards of 4500 dollars. As a disabled vet (as a lot of the population of Harker heights is) I cant afford that. Along those lines a lot of the population rents. The home owners may not be willing to accept that.

Thirdly, in the times we are living in right now, if this one ordinance is passed what are the fines for non compliance? I can tell you right now some will not pay. Are you going to put liens on the properties or force people out. Because if so, I for see lawsuits being filed. In these times people are getting tired of government and government officials over stepping their power. We the people are tired of being meddled with and just want to enjoy what the constitution promises. Life, LIBERTY, and the pursuits of happiness.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:34 PM
To: Joseph Molis
Subject: FW: HH Parking Ordinance

18

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

-----Original Message-----

From: Jerry Bark
Sent: Monday, July 27, 2020 4:36 PM
To: Jerry Morris <jwmorris8@icloud.com>
Subject: RE: HH Parking Ordinance

Mr. Morris,

Thank you for participating in the virtual town forum. As written, the proposed ordinances will not exempt recreation vehicles, except that they can be parked on residential lots.

However, the drafting of these proposed ordinances has required that we thoroughly research those sections of the Code that pertain to heavy vehicle parking. Staff has discovered that recreation vehicles that qualify as a heavy vehicle are not allowed to park in the street, except for loading and unloading. If you would provide an address for the location of the recreation vehicle, we will investigate the matter further.

Thank you for taking a part in this process and your question will be listed on the Frequently Asked Question (FAQ) document.

Sincerely,

Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

-----Original Message-----

From: Jerry Morris <jwmorris8@icloud.com>
Sent: Friday, July 24, 2020 11:30 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: HH Parking Ordinance

I've been a Harker Heights resident for 30 years. We've had a large class A motor home parked on our residential street for several years now. I complained to the city because it constricts the roadway and blocks the view of an intersection. It's an eyesore as well, as it's older and is badly faded, in addition the registration is two years out of date. I asked if RVs we're allowed to park on residential streets and was told they were, so there was nothing they could do. Please use this opportunity to get these large buses off of our neighborhood streets, do not exempt them please.

Sent from my iPhone

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:34 PM
To: Joseph Molis
Subject: FW: HH Parking Ordinance

19

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

-----Original Message-----

From: Jerry Morris <jwmorris8@icloud.com>
Sent: Monday, July 27, 2020 4:55 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Re: HH Parking Ordinance

Sir, thank you for the response. I'm glad to hear they are not allowed on residential streets; although none of the city personnel we spoke to, including the Police, knew this. This RV sits on the corner of Nola Ruth and Cedar Oaks Lane, east side of Nola Ruth, address is 907 Nola Ruth Blvd. Thank you again for your response.

Sent from my iPhone

> On Jul 27, 2020, at 4:36 PM, Jerry Bark <jbark@harkerheights.gov> wrote:
>
> Mr. Morris,
>
> Thank you for participating in the virtual town forum. As written, the proposed ordinances will not exempt recreation vehicles, except that they can be parked on residential lots.
>
> However, the drafting of these proposed ordinances has required that we thoroughly research those sections of the Code that pertain to heavy vehicle parking. Staff has discovered that recreation vehicles that qualify as a heavy vehicle are not allowed to park in the street, except for loading and unloading. If you would provide an address for the location of the recreation vehicle, we will investigate the matter further.
>
> Thank you for taking a part in this process and your question will be listed on the Frequently Asked Question (FAQ) document.
>
> Sincerely,
>
> Jerry Bark
> Interim Assistant City Manager
> City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
> T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov
>

> Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

>

> -----Original Message-----

> From: Jerry Morris <jwmorris8@icloud.com>

> Sent: Friday, July 24, 2020 11:30 AM

> To: Jerry Bark <jbark@harkerheights.gov>

> Subject: HH Parking Ordinance

>

> I've been a Harker Heights resident for 30 years. We've had a large class A motor home parked on our residential street for several years now. I complained to the city because it constricts the roadway and blocks the view of an intersection. It's an eyesore as well, as it's older and is badly faded, in addition the registration is two years out of date. I asked if RVs we're allowed to park on residential streets and was told they were, so there was nothing they could do. Please use this opportunity to get these large buses off of our neighborhood streets, do not exempt them please.

>

> Sent from my iPhone

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:35 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

20

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Friday, July 31, 2020 4:02 PM
To: eugene721@gmail.com
Subject: RE: VIRTUAL PUBLIC FORUM

Mr. Summerford –

Apologize for the length of this response. Each of the bullet points are intended to line up with your questions.

- A penalty for this offense is considered a general penalty and is subject to section 10.99 below:

§ 10.99 GENERAL PENALTY.

(A) Whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by:

- (1) A fine not to exceed \$2,000 in all cases arising under municipal ordinances that govern fire safety, zoning, and public health and sanitation other than vegetation and litter violations;
- (2) A fine not to exceed \$2,000, if a motor vehicle is used in illegal dumping or an offense under the law or city ordinance violated for illegal dumping;
- (3) A fine not to exceed \$500 in all other cases, provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

(B) Each day any violation of this code or any ordinance shall continue shall constitute a separate offense.

(Am. Ord. 2000-35, passed 10-24-00)

Statutory reference:

Municipal penalties, see Tex. Loc. Gov't Code § 54.001

- We are still developing guidelines, and as of now small utility trailers are required to be parked on an all-weather surface, which can be a driveway or a separate pad for that purpose. However, we are researching a means to address small utility trailers, if it can be done in an efficient and fair manner.
- The restrictions in paved parking areas within the front, side, and rear yards are relegated to parking areas only. Pools, decks, playscapes, etc. are not regulated through this ordinance, but most of those structures would require a building permit which may necessitate a review of ground cover situations.

- While maintenance and appearance of landscaping are among the contributing influences of this ordinance, another impetus for limiting parking in landscaped areas is related to public safety. As mentioned in the video, there are hazards inherent in parked vehicles that are not necessarily present in trampolines, playscapes, etc., such as leakage of chemicals into the ground water table and the potential for grass fires.
- Washing your personal vehicle on the grass is allowed by state law and is encouraged over washing a vehicle in the driveway. While washing a vehicle in the grass does subject the local area to potential contamination from soaps and hydrocarbons washed off the car, it is better for the environment to have those things filtered through a lawn rather than directly channeled into the stormwater system (which flows directly to local water bodies), which would happen if a vehicle were washed in the street or driveway. That being said, it is advised that the owner wait until the grass is dry before moving the vehicle, to limit damage to the lawn. As to the enforcement of the ordinance in this scenario, it is unlikely this activity would flag the need for a code compliance action because our process is to provide a written notification which gives a time-frame for compliance, typically 10 days. One would assume the vehicle being washed in the grass would be moved by reinspection time.
- As with the swimming pools, patios, etc., you may have walkways in your yard, and these are not regulated by this ordinance. Walkways may be composed of a myriad of materials, and would require a permit if it involved flatwork (concrete).
- Existing, non-conforming residences will have one year to come into compliance with the new standards. It is our intent to craft the ordinance such that a lack of parking spaces must conform, but an overabundance may not. That is to say, if a residence had legally acquired flatwork to increase their parking area that exceeded the limits in the proposed ordinance, they would not be required to remove the parking. We are still researching the means for limiting parking areas. While drainage is a very real concern, the permitting process would provide regulation for addressing such issues. The alternative we face without limiting parking areas is the very real concern that an individual would attempt to pave their entire yard and convert it into a parking lot. However, the aforementioned permit requirements may be sufficient to limit this potential, and again, we are weighing the options to address this potential issue.

Sincerely,

Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>

Sent: Thursday, July 30, 2020 2:55 PM

To: Jerry Bark <jbark@harkerheights.gov>

Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Earl Summerford

E-mail

eugene721@gmail.com

Comments and Questions

All questions are related to Residential Parking in Landscaped Areas Prohibited.

What is the punishment for the offense?

I have a small utility trailer; do I have to park it in the driveway?

How will is the 25% back yard limit on all-weather surface include in-ground pools and surrounding decks?

If you can't park a utility trailer or boat trailer on the side and back yard because it damages landscaping, why can you install an above ground pool, trampoline, playsets, and swing sets?

Can I wash my vehicle on the grass?

Can I have walkways in my yard, front back and side? Does it make a difference if they are constructed of concrete, gravel, bricks and/or pavers.

Will existing nonconforming residences be required to meet the new standards?

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:35 PM
To: Joseph Molis
Subject: FW: Heavy Vehicle and Parking on the Grass Ordinance - Concerns and Coments

21



Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Friday, July 31, 2020 4:20 PM
To: Eugene Summerford <eugene721@gmail.com>
Cc: Joseph Molis <jmolis@harkerheights.gov>
Subject: RE: Heavy Vehicle and Parking on the Grass Ordinance - Concerns and Coments

Mr. Summerford,
We acknowledge receipt of your comments and concerns. All changes and recommendations to these ordinances will be reviewed by our legal counsel.

Sincerely,



Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Eugene Summerford <eugene721@gmail.com>
Sent: Thursday, July 30, 2020 2:13 PM
To: Jerry Bark <jbark@harkerheights.gov>
Cc: Joseph Molis <jmolis@harkerheights.gov>
Subject: Heavy Vehicle and Parking on the Grass Ordinance - Concerns and Coments

Dear Mr. Bark:

I have several comments and a specific concerns regarding the proposed §155.069, Residential Parking in Landscaped Areas Prohibited.

Background

My wife and I have lived in the Harker Heights, in Skipcha, since July 1990. Almost every day, we walk several miles in our area. Harker Heights is a good place for it. Naturally as we walk, we talk and one recurrent topic of conversation is the state of the neighborhood and individual houses. Some homes are really attractive and well maintained. Some are not. Some homes are occupied by renters, some by elderly homeowners, and some residents who just don't care.

We see all the things described in the presentation and more e.g.,

- vehicles parked in yards,
- vehicles in various states of assembly or disassembly in driveways,
- boats and jet skis with trailers in driveways and also in yards,
- campers and travel trailers in driveways and lawn areas,
- recreational vehicles parked in driveways, concrete pads, lawns, and on the street, and
- utility trailers both open and enclosed in driveways and yards.

We also observe:

- houses with a multitude of vehicles filling the driveways to capacity and then occupying the surrounding curb area as well,
- mandated fences rotting and decaying and/or falling down,
- weed laden lawns in need of mowing,
- lawns gone dormant for lack of watering,
- items put out for garbage collection that will not be picked up:
 - appliances,
 - mattresses,
 - tree limbs,
 - furniture,
- houses with external mold stains on siding,
- chimneys and trim in need of repair,
- dead or dying trees and shrubs, and
- roaming feral cats, etc.

Naturally the aforementioned issues detract from the ambiance of the neighborhood. Some of the latter items are already regulated by the city. Now the city government is contemplating heavy regulation of the former items as well. Effective regulation requires enforcement, as illustrated by the amount of fireworks expended this past July 4th.

Review of Proposed Ordinances

The “Heavy Vehicles” ordinance is omitted.

The proposed ordinance, Section 155.069, Resident Parking in Landscape Areas Prohibited, is a punitive ordinance. Paragraph (A) starts by stating this is a punitive ordinance with “*it shall be an offense*” basically for parking on the grass or where the grass ought to be. It even provides for an affirmative defense for the violation, indicating judicial action. However, it does not state or refer to any resultant punishment for violating this section. Other portions in the municipal ordinance cited violations to be Class C misdemeanor.

Generally dividing residential yards into all weather parking areas (concrete or asphalt) and landscape areas, paragraph (B) attempts to modify the scope of §155.061, General Standards and §155.062, Design Standards. Paragraph (B) limits the homeowner’s use of their property for use as driveways, parking areas and presumably connecting sidewalks as well. Referring to drainage, the paragraph reserves 50% of the front yard and each side yard and 75% of the back yard for landscaping, i.e., trees, grass, and/or flower beds.

Paragraph (C) pertains to non-conforming residences, i.e. minimal all-weather off street parking. First, subparagraph (1) allows the “Building Official” discretion in deciding what is “all-weather.” Next, subparagraphs (2) and (3) are unclear and appear to have errors incorporating by reference other legal and technical authorities. Most of which results from its reference to provisions of §155.068, which in the Code of Ordinances is “Private Or Personal Property Parking Areas For Persons With Disabilities,” which contains NO Paragraph (B) (1) or Paragraph (B)(2). What is contained in §155.068 (B) is a reference to Tex. Rev. Civ. Stat. Art. 9102, § 5(c) which requires the commissioner (Texas Department of Licensing and Regulation) to adopt standards and specifications that are consistent in effect to those adopted by the American National Standards Institute, Inc. (ANSI), or its federally recognized successor in function. Note this relates to Accessibility Standards for the disabled. This reference is extremely confusing.

Paragraph (D) is provides for blanket exemptions for vehicle owned by City, on construction sites, public utility vehicles, and those used for agriculture.

Comments concerning Residence Parking Ordinance

If memory serves, a similar measure was proposed last year and not favorably acted upon. The main justification again this year appears to center on individual home owners complaining about their neighbors parking cars and boats on the grass – where everyone can see it. However if individual owners wish to exert control over their neighbor’s actions, then they should have moved into a development with a home owner’s association (HOA). Communities with HOAs are usually well manicured and retain high property values. I have lived in more than one. I choose not to live in one when I bought my home here. Everything is beautiful and great, until the HOA starts telling you what you can and cannot do to your house based on how they feel it affects them - and the HOA fees of course.

I like nice landscaping, i.e. grass, shrubs and flower beds. During the summer we spend hours every day working caring for our yard. We have the standard 2 vehicle wide driveway – barely. Lengthwise, it would be a tight squeeze for 2 full size cars. I have considered adding a 3rd parking lane, but we have decided against it. However I want to have the option to have a third parking lane. We want the option to add some walking paths (not sidewalks) in the front yard, also in the side and backyard. I want the option to put in a paver patio in the front yard since growing grass in the shade is almost impossible. (I hate St. Augustine grass!)

To aid me in my home landscaping, I own a small utility trailer. It is registered, every year paying taxes equal to 1/3 of its cost. I use it occasionally for taking tree limbs to the bush drop off, or pick up other items because I don't own or want a truck. I don't park it in the driveway, because 1) they are easily stolen and 2) it and my SUV barely fit in the lane. I park it in my back yard. It cannot be seen from the street. If you can see it, you would be invading my privacy. It has nothing in it to leak on the grass. Formerly I rotated where I parked the trailer to conserve the grass but that was a lot of trouble for the small area of grass affected. This affected area is smaller than the loss of grass under the tree in my front yard, under the tree in my neighbor's backyard, the amount of grass loss under above ground pools in the neighborhood.

On the subject of landscaping impacts, how will in-ground swimming pools with surrounding and access sidewalks be affected by this 25% limitation on all weather paving in backyards? In reviewing housing in this area, Zillow and Realtor.com shows multiple home where in-ground pools where substantially all or most of the backyard is paved. Are these homes exempted because they are good and off-street parking is bad? What about trampolines, swingsets, and playsets? They can't be good for the grass.

Regarding existing and retroactive nonconforming residences, will all-weather parking areas in excess to the ordinance be required to be removed? When, immediately?

Here is a hypothetical after ordinance is passed to consider. During a week of triple digit weather, my wife wants to wash the dust off her vehicle. Instead of washing it in the driveway, where the water goes into the street, she decides the grass could make better use of it. She pulls the vehicle under the tree in the front yard and she, with the grand kid, cleans the car and waters the grass at the same time so as to not waste it. Code enforcement or local police drive by and issues my spouse a citation under this punitive ordinance. (We can't speculate if it is a Class C misdemeanor or what the likely fine, plus court costs, is since it is not apparent from the proposal.) The vehicle can be moved, so the affirmative defense (to prosecution) is not applicable. Besides affirmative defense are only good in court. I would prefer not to have to go there. I am sure one would say "something like that just can't happen." My experience as an attorney with the Texas Department of Public Safety tells me, it can and does - a lot more than one would think.

Summary

While irregular private parking and/or over-parking in residential properties causes aesthetic issues for neighbors, Section 155.069, the residential parking ordinance as proposed is overbearing, arbitrary and capricious. It goes too far and mandates an unreasonable restrictive standard for residential yards, limiting owner's reasonable choices in function and use. The ordinance even creates a standard retroactively for existing nonconforming residences which will be harmful and costly to property owners.

Recommendation

Section 155.069, Resident Parking in Landscape Areas Prohibited as proposed should not be adopted.

Thank you for your attention in this matter.

Sincerely,



Earl E. Summerford Jr.

254-690-4969

Note: I have attached this letter in pdf attachment.

From: Jerry Bark [<mailto:jbark@harkerheights.gov>]

Sent: Thursday, July 23, 2020 12:25 PM

To: eugene721@gmail.com

Subject: FW: City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Mr. Summerford,

Thank you for your participation in the virtual public forum. The heavy vehicle parking ordinance would consist of amending the existing code, located here:

https://codelibrary.amlegal.com/codes/harkerhts/latest/harker_tx/0-0-0-19618

Section 72.21 (C) would be amended to remove possession of a heavy vehicle permit as a defense, and Section 72.23 would be removed in its entirety, as it pertains to Residential Parking Permits.

For the residential parking on lawns, we would supplement the zoning code with the attached Section 155.069, which would prohibit residential parking in landscaped areas.

Thank you again for taking part in the process and if there are additional questions or comments, please do not hesitate to contact us.

Sincerely,



Jerry Bark

Interim Assistant City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Eugene Summerford <eugene721@gmail.com>

Sent: Tuesday, July 21, 2020 3:25 PM

To: Joseph Molis <jmolis@harkerheights.gov>

Subject: City of Harker Heights - Heavy Vehicle and Parking on the Grass Ordinance

Mr. Molis:

My wife and I watched the YouTube video presentation on the Heavy Vehicle and Parking on the Grass Ordinance. While there are certainly aesthetic problems with large commercial vehicle parking and irregular private parking and/or over-parking in residential properties. I believe the ordinance as proposed may be overbearing, arbitrary and capricious. I prefer to review written material in crafting my comments. If you have the information in a document could you have someone forward it to this email address?

Thank you in advance. I would appreciate your assistance.

Sincerely,

Earl E. Summerford

503 Hogan Dr

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:35 PM
To: Joseph Molis
Subject: FW: Proposed Ordinances Inquiry

22

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Warren Kostencki <warren.kostencki@hotmail.com>
Sent: Saturday, August 1, 2020 6:57 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: RE: Proposed Ordinances Inquiry

Thank you, Sir. We'll work on getting some gravel moved back into that area.

Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: Jerry Bark <jbark@harkerheights.gov>
Date: 7/31/20 5:22 PM (GMT-06:00)
To: Warren Kostencki <warren.kostencki@hotmail.com>
Subject: RE: Proposed Ordinances Inquiry

Mr. Kostencki,

The planning staff has reviewed the photos you provided, and based solely on the photos and their understanding of the proposed ordinance, you would be required to create a parking pad for the RV trailer to come into compliance. As an existing, non-conforming (grandfathered) property, you would be eligible to report your property as such to the city and obtain a permit to build a parking area out of alternative materials. Such materials include pavers, decomposed granite, or gravel similar to what appears behind your RV in the last photo. The parking area for the RV would need to be completed within 1 year of the adoption of the ordinance, and you would not be required to build a driveway from the curb cut to the RV parking pad.

Sincerely,



Jerry Bark
Interim Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Warren Kostencki <warren.kostencki@hotmail.com>

Sent: Friday, July 31, 2020 12:57 PM

To: Joseph Molis <jmolis@harkerheights.gov>; Courtney Peres <cperes@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>

Subject: Proposed Ordinances Inquiry

Dear HH Planning Team,

Good afternoon. First, thank you for the work you do to make Harker Heights a city that I'm proud to call home.

In reference to the proposed ordinances relating to the parking and storage of large equipment/vehicles on private residential properties, I have attached a handful of pictures of my own home at 218 West Cardinal Lane. When we created this set up a couple of years ago we did our best to ensure that it was pleasing to the eye and that it was not a strain on the neighborhood in any way. We even filed for a permit to get the proper curb cut so we weren't just driving over the curb.

I would like to know this: if the proposed rules are adopted as they are currently written (as explained in the video), what would I need to do to be in compliance? (Based off what you see in the pics)

Thank you for your time and consideration in this matter. I look forward to hearing from you soon.

Warren Kostencki
254.371.9690

Sent from my Sprint Samsung Galaxy S7.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:36 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

24

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 1:41 PM
To: kencollop@gmail.com
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Collop –

Thank you for your participation. We continue to develop the requirements of the ordinance and will look into your suggestions to determine if they will meet the intent of the ordinance.

As to the number of vehicles allowed to park at a residence, that is not covered under the guidelines of these ordinances, but we are going to look into that issue as well.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Saturday, August 1, 2020 1:06 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Ken Collop

E-mail

kencollop@gmail.com

Comments and Questions

Looks great to me. I would also like to see RV's, trailers and large vehicles parked back of the house not in driveways and parking areas in front or on the side.

We also seem to have quite a few homes with as many as eight vehicles in one driveway for extended periods of time. There should be a limit on this since it not very pretty and looks like a used car lot.

Thank you for addressing these issues.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:36 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

25

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548



T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 2:05 PM
To: Alice Schlessiger (aliceschlessiger@hotmail.com) <aliceschlessiger@hotmail.com>
Subject: FW: VIRTUAL PUBLIC FORUM

Ms. Schlessiger,

We will look at the State requirements for what constitutes agricultural machinery for interpreting the proposed ordinances. Depending on the sizes of the vehicles, they may be prohibited in residential areas altogether, if they are deemed a heavy vehicle. Currently, there is no limit to the number of vehicles parked at or in front of a residence, but we will look into that issue at a future date.

"3 Additional Parking Spots" will be defined by the parking requirements within the current Code of Ordinances: a pad at minimum 20' by 9' rectangle. Depending on the type of easement, some parking may be allowed in them. Our Code Enforcement officers routinely patrol all areas of the city, and we will have them visit yours more frequently if necessary. Please understand that we have been lenient on some code issues due to the economic impacts of the COVID-19 pandemic.

Thank you for taking part in this process.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548



T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Monday, August 3, 2020 1:55 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Alice Wittig Schlessiger

E-mail

aliceschlessiger@hotmail.com

Comments and Questions

1. What constitutes "Ag machinery in more rural areas?" I live in the Broken Arrow Division off Fuller Lane. My neighbors have what I call a Bobcat and a large front loader in their front yard for weeks at a time parked on the grass near a large RV on a gravel pad and surrounded by two trailers (or three if you count the 18' box trailer on the side road). We consider our well-established neighborhood to be residential, not rural. Please clarify this for me.

2. Is there a limit to the number of vehicles that can be parked in the yard of a residence? While walking in my neighborhood, I have counted 14 various types of vehicles in that same yard sometimes all at the same time to include 3 trailers, 2 large RVs, the 2 tractors, one golf cart, one ATV, one motorcycle, one pickup, and a van. At times there are more vehicles parked across the street on a vacant lot that is for sale. This creates a huge problem with sight lines when approaching and navigating the S-curve in front of that house.

3. How do you determine "3 additional parking spots" on a property? Can that be 3 spots to accommodate 3 cars or perhaps 3 RVs? Can the parking spots encroach on the city's required front/side easements?

I have lived in my home at 4308 Iroquois for 47 years and our neighborhood is deteriorating so quickly that I am embarrassed to invite family and friends to visit me here. It appears that I live in a slummy trailer park with a used car lot thrown in to boot. Surely the City of Harker Heights can require the residents in my area to maintain their properties to the same standards as the newer areas. Please drive through here and take a look for yourselves so you can understand why I am disappointed in the way the city governs some neighborhoods one way and the older ones get little or no supervision. We pay the same taxes as the rest of the city and expect the same attention. Thank you for caring.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:36 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

26

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 2:14 PM
To: mjwatterson99@gmail.com
Subject: FW: VIRTUAL PUBLIC FORUM

Dear Mr. Watterson,

We are going to ask the City Council to approve changing the definition of a heavy vehicle by increasing the length and width to accommodate newer, larger personal vehicles, such as heavy duty trucks. We are also investigating the options regarding small, unloaded trailers that are hidden from view. In your situation, you could still keep your trailer in the back yard; it would just need a gravel parking space.

We are looking at the front yard requirements in terms of 3-car garages and side-entry garages. In the case of existing homes which exceed the paving coverage requirements, provided the paving was done through an approved permit, they are considered existing, non-conforming (grandfathered) and would not be required to come into compliance with the new ordinance.

Thank you for taking a part in the process.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Thursday, August 6, 2020 11:44 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Matthew J Watterson

E-mail

mjwatterson99@gmail.com

Comments and Questions

Greetings. I have a few concerns and comments that I would like to submit for consideration in regards to the proposed / new parking ordinance for the city of Harker Heights.

1) Many passenger vehicles and light-duty trucks (1-ton and lower) are 18 feet long or longer. For example, my 2004 F150 SuperCrew (1/2 ton) pickup is 18.65 feet in length. My 2003 Ford Excursion is 18.89 feet long. Even smaller vehicles are close to the limit: my 2003 Mercury Grand Marquis (a normal, full-size passenger car) is 17.67 feet in length and my 2017 Ford Explorer is 16.5 feet long. Therefore, IMO, the 18-foot length requirement, for on-street or driveway parking is far too restrictive.

2) I own a small garden trailer (5x8, wire mesh, from Tractor Supply) that I push into my back yard to keep it a) off the street (IAW the current rules); b) out of my driveway (eyesore); and c) secured from theft. Under the new proposal, to be in compliance, I would have to move one of my vehicles from my driveway to the street, so that I could park this small trailer in my driveway on a paved surface. The trailer will not catch my grass on fire during dry-spells, is obscured from view by my privacy fence, and can not leak any dangerous chemicals into the water table. It simply doesn't make sense to me that cargo trailers (open or enclosed) cannot legally be stored in our backyards, on grassy, gravel or paving stone surfaces.

3) Re: the 50% of the front yard paving rule, I would ask the council to give some consideration to homes that have 3-car garages. I have a home on an over-sized corner lot (92' x 120' or 0.25 acres) with a 3-car garage and 4-wide paved parking, and while I have not measured my driveway for compliance, I feel confident that more than 25% of my front yard is paved. While the video presentation and FAQs do not address grandfathering existing properties (which I presume will be done), new properties / builds in the city limits will not be able to have a 3-car garage (which raises property value and tax base). My large driveway is beneficial to the community as it keeps my vehicles off the street (enhances public safety, as doing so it increases visibility and reduces blind-spots), which is a serious concern as we generally do not have sidewalks. Further, I invite council members or city planners to check out my driveway to determine if it is unsafe or an eyesore, and then give some further or consideration to increasing the 25% limit.

Please feel free to contact me with any questions or concerns, re: my comments. Thank you.

Sincerely,

Matthew J. Watterson

100 Mission Dr, HHTX

210-243-6644

miwatterson99@gmail.com

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:36 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

27

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
 **T:** 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 2:22 PM
To: carlsonfamily08@gmail.com
Subject: FW: VIRTUAL PUBLIC FORUM

Ms. Carlson,

Staff will request that the City Council approve changing the definition of a heavy vehicle by increasing the length and width to accommodate newer, larger personal vehicles, such as heavy duty trucks.

Thank you for the comment and for taking a part in this process.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
 **T:** 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Friday, August 7, 2020 12:29 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Bridget Carlson

E-mail

carlsonfamily08@gmail.com

Comments and Questions

According to your definition of heavy vehicle, that describes almost every single Ford, Dodge, and Chevy truck on the road! Are you serious? Now you are saying Texans cannot own trucks because we will not be allowed to park them at our house?!

For instance, my Chevy 2500HD crew cab is 20ft long so that right there according to your definition makes it a heavy vehicle because you use the word OR instead of AND which means it has to meet one of those requirements to meet the definition of Heavy Vehicle instead of having all of those requirements to meet the definition. The width is 6'8" without the side steps which brings it over 7ft. The stock height with the stock tire is almost 7' add-in beefy tires and a lift kit and it could reach (or surpass) that 9' height.

This is completely absurd! Banning residents from having passenger trucks and larger SUV's.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:37 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM

28

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 2:27 PM
To: 'Brian.hopsecker@aol.com' <Brian.hopsecker@aol.com>
Subject: FW: VIRTUAL PUBLIC FORUM

Mr. Hopsecker,

Staff will request that the City Council approve changing the definition of a heavy vehicle by increasing the length and width to accommodate newer, larger personal vehicles, such as heavy duty trucks.

Thank you for the comment and for taking a part in this process.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>
Sent: Saturday, August 8, 2020 9:14 AM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Brian Hopsecker

E-mail

Brian.hopsecker@aol.com

Comments and Questions

I observed that by your definition of a heavy vehicle you have listed it at a length of 18 feet. That length is too restrictive and would make it too where residents such as I who own Chevy Suburbans or like vehicles would not even be able to park at our residence. I would like the length of vehicles to be addressed realistically so that law abiding residents can remain so.

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:37 PM
To: Joseph Molis
Subject: FW: Parking Ordinance

29

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Joseph Molis <jmolis@harkerheights.gov>
Sent: Monday, August 10, 2020 2:13 PM
To: 'Patty Brunson' <padbrunson@gmail.com>
Cc: Jerry Bark <jbark@harkerheights.gov>
Subject: RE: Parking Ordinance

Patty,

It's really good to hear from you; I hope things are going well! To answer your questions, as of the latest draft of the proposed ordinance, the parking restrictions will apply to large-lot properties, but grandfathered properties will be allowed up to 3 parking spaces (20'x10') made from alternative materials such as gravel or pavers. At Burk's suggestion last year, we are allowing properties to be grandfathered, but the property owners will need to register with us to let us know.

Let me know if you need anything and if you have any suggestions. Jerry and I are compiling them into a report for the Council's consideration as we move forward.

Take care,



Joseph Molis
Director of Planning and Development
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5666 | jmolis@harkerheights.gov

Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams.

From: Patty Brunson <padbrunson@gmail.com>
Sent: Monday, August 10, 2020 12:25 PM
To: Joseph Molis <jmolis@harkerheights.gov>
Subject: Parking Ordinance

Joseph,

Hello, I listened to your presentation for the upcoming parking ordinance and I had the following questions: 1) Will the vehicle parking restriction for hard surfaces apply to rural areas? 2) Are rural areas automatically designated for the grandfather status?

Thank you,
Patty Brunson

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:37 PM
To: Joseph Molis
Subject: FW: Comments concerning video town hall.

30

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Jerry Bark
Sent: Monday, August 10, 2020 5:24 PM
To: KEN OLSON <kso54@aol.com>
Subject: RE: Comments concerning video town hall.

Mr. Olson,

Thank you for taking a part in the process. Staff will ensure that the City Council is notified of your concern and suggestion.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: KEN OLSON <kso54@aol.com>
Sent: Monday, August 10, 2020 4:39 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: Comments concerning video town hall.

Good afternoon,

Sorry for the late response, I just stumbled upon the video. I would like to add the following observation. The state of Texas is currently undergoing various mandates which have caused citizens to be unable to pay for the improvements required. Although the ordinance has merits, most citizens do not have access to the information being put out by the city. I just stumbled on it.

Based on these two factors the city should delay any actions until the Governor of Texas has released its citizens from Covid restrictions

I can be reached at the aforementioned email address for further clarification if necessary.

Sincerely

Ken Olson

Joseph Molis

From: Jerry Bark
Sent: Wednesday, August 12, 2020 1:53 PM
To: Joseph Molis
Subject: FW: VIRTUAL PUBLIC FORUM
Attachments: image001.png

31

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | **F:** 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: Alice Schlessiger <aliceschlessiger@hotmail.com>
Sent: Tuesday, August 11, 2020 3:13 PM
To: Jerry Bark <jbark@harkerheights.gov>
Subject: RE: VIRTUAL PUBLIC FORUM

Thank you for replying to my email questions.

I do ask that the City please pay more attention to our area off Fuller Lane. Many residents of Broken Arrow are very proud of their properties and take very good care of them BUT just as many think they do not have to comply to the established rules and ordinances because “nobody can tell me what I can do on my property” and besides, “we live out in the country and the city doesn’t care about us anyway.” They need to be “enlightened” to the fact that paying the same rate of city taxes as the rest of the residents of the City of Harker Heights provides them not only with the many great services provided but also with the responsibilities to comply with city statutes and codes to insure that we all work together to make our city a wonderful place in which to live and grow.

Thank you for considering my suggestions. I have loved living in my home since July 1973 and hate watching the area decline like it has in the last few years. Please drive through this area and take a look for yourself.

Sent from [Mail](#) for Windows 10

From: [Jerry Bark](#)
Sent: Monday, August 10, 2020 2:04 PM
To: [Alice Schlessiger \(aliceschlessiger@hotmail.com\)](mailto:aliceschlessiger@hotmail.com)
Subject: FW: VIRTUAL PUBLIC FORUM

Ms. Schlessiger,

We will look at the State requirements for what constitutes agricultural machinery for interpreting the proposed ordinances. Depending on the sizes of the vehicles, they may be prohibited in residential areas altogether, if they are deemed a heavy vehicle. Currently, there is no limit to the number of vehicles parked at or in front of a residence, but we will look into that issue at a future date.

"3 Additional Parking Spots" will be defined by the parking requirements within the current Code of Ordinances: a pad at minimum 20' by 9' rectangle. Depending on the type of easement, some parking may be allowed in them. Our Code Enforcement officers routinely patrol all areas of the city, and we will have them visit yours more frequently if necessary. Please understand that we have been lenient on some code issues due to the economic impacts of the COVID-19 pandemic.

Thank you for taking part in this process.

Sincerely,

Jerry Bark
Assistant City Manager
City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5614 | jbark@harkerheights.gov



Vision: Providing public services that empower people to focus on what matters most: their goals, hopes and dreams

From: City of Harker Heights <webmaster@ci.harker-heights.tx.us>

Sent: Monday, August 3, 2020 1:55 PM

To: Jerry Bark <jbark@harkerheights.gov>

Subject: VIRTUAL PUBLIC FORUM

VIRTUAL PUBLIC FORUM

Name

Alice Wittig Schlessiger

E-mail

aliceschlessiger@hotmail.com

Comments and Questions

1. What constitutes "Ag machinery in more rural areas?" I live in the Broken Arrow Division off Fuller Lane. My neighbors have what I call a Bobcat and a large front loader in their front yard for weeks at a time parked on the grass near a large RV on a gravel pad and surrounded by two trailers (or three if you count the 18' box trailer on the side road). We consider our well-established neighborhood to be residential, not rural. Please clarify this for me.

2. Is there a limit to the number of vehicles that can be parked in the yard of a residence? While walking in my neighborhood, I have counted 14 various types of vehicles in that same yard sometimes all at the same time to include 3 trailers, 2 large RVs, the 2 tractors, one golf cart, one ATV, one motorcycle, one pickup, and a van. At times there are more vehicles parked across the street on a vacant lot that is for sale. This creates a huge problem with sight lines when approaching and navigating the S-curve in front of that house.

3. How do you determine "3 additional parking spots" on a property? Can that be 3 spots to accommodate 3 cars or perhaps 3 RVs? Can the parking spots encroach on the city's required front/side easements?

I have lived in my home at 4308 Iroquois for 47 years and our neighborhood is deteriorating so quickly that I am embarrassed to invite family and friends to visit me here. It appears that I live in a slummy trailer park with a used car lot thrown in to boot. Surely the City of Harker Heights can require the residents in my area to maintain their properties to the same standards as the newer areas. Please drive through here and take a look for yourselves so you can understand why I am disappointed in the way the city governs some neighborhoods one way and the older ones get little or no supervision. We pay the same taxes as the rest of the city and expect the same attention. Thank you for caring.



CITY COUNCIL MEMORANDUM

AGENDA ITEM # III-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 18, 2020

**RECEIVE AND DISCUSS A PRESENTATION REGARDING THE ADOPTION
OF THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE (ISPSC)**

EXPLANATION:

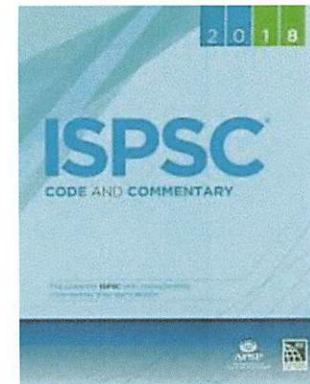
The Texas legislature passed HB 2858, which sets a model code for the construction of swimming pools and spas in the State. Starting September 1, 2020, any municipality that chooses to regulate the building and alteration of swimming pools and spas must adopt the 2018 ISPSC as its base code. The City of Harker Heights has adopted and currently enforces the 2015 ISPSC and is therefore required to update to the 2018 Code.

The City's Building Official and Building Inspector have attended updated training to understand and properly enforce the new requirements. Staff has met with local contractors and construction stakeholders to provide some clear guidance on how the City will implement and enforce the new State requirements.

Code Adoption

2020 National Electric Code (2020 NEC)-Effective November 1, 2020

2018 International Swimming Pool and Spa Code (2018 ISPSC)-Effective September 1, 2020



Adoption of the 2018 ISPSC

The Texas legislature has passed [HB 2858](#), which sets a model code for the construction of pools and spas in the state. This means starting **September 1, 2020** any municipality that chooses to regulate the building and alteration of pools and spas, must adopt the 2018 ISPSC as its base code

2015 vs. 2018 Changes:

1. It was clarified that flotation tank systems for sensory deprivation therapy are not within the scope of the ISPSC. (101.2.1)
2. Hot water storage tanks are now required to be listed and labeled to a standard. (316.2)
3. New sections were introduced into the code to cover solar thermal water heating systems. Installation requirements refer to the IMC. (316.6)





CITY COUNCIL MEMORANDUM

AGENDA ITEM # III-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 18, 2020

**RECEIVE AND DISCUSS A PRESENTATION REGARDING THE ADOPTION
OF THE 2020 NATIONAL ELECTRICAL CODE (NEC)**

EXPLANATION:

The Texas Electrical Safety and Licensing Act requires the Texas Department of Licensing and Regulation (TDLR) to adopt the revised National Electrical Code (NEC) as the electrical code for the state of Texas. On June 30, 2020, the TDLR adopted the 2020 NEC as the electrical code for the state of Texas and established it as the "minimum standard" for all electrical work in Texas covered by the Act. The effective date will be November 1, 2020 (delayed from the proposed date of September 1, 2020, due to COVID-19).

The City's Building Official and Building Inspector have attended updated training to understand and properly enforce the new requirements. Staff has met with local contractors and construction stakeholders to provide some clear guidance on how the City will implement and enforce the new State requirements.

Code Adoption

2020 National Electric Code (2020 NEC)-Effective November 1, 2020

2018 International Swimming Pool and Spa Code (2018 ISPSC)-Effective September 1, 2020



1

Adoption of the 2020 NEC

THE [TEXAS ELECTRICAL SAFETY AND LICENSING ACT](#) REQUIRES THE TDLR TO ADOPT THE REVISED NATIONAL ELECTRICAL CODE (NEC) AS THE ELECTRICAL CODE FOR THE STATE OF TEXAS. ON JUNE 30, 2020 THE TEXAS COMMISSION ON LICENSING AND REGULATION ADOPTED THE 2020 NEC AS THE ELECTRICAL CODE FOR THE STATE OF TEXAS AND ESTABLISHED IT AS THE "MINIMUM STANDARD" FOR ALL ELECTRICAL WORK IN TEXAS COVERED BY THE ACT. THE EFFECTIVE DATE WILL BE NOVEMBER 1, 2020 (DELAYED FROM THE PROPOSED DATE OF SEPTEMBER 1 2020 DUE TO COVID-19).

2

Adoption of the 2020 NEC

- Pages T1-T73 in the 2020 NEC Handbook are a list of the changes.
- This translates to 1000+ changes
- Some changes are simple and just for clarification of the code
- Some are changes effect the contractors and how we enforce the NEC.

3

Adoption of the 2020 NEC

Revisions proposed at 210.8(A) will result in **all 125-volt through 250-volt** receptacles installed at dwelling units supplied by single-phase branch circuits rated 150 volts or less to ground to be provided with ground-fault circuit-interrupter protection for personnel. This new addition of 250-volt receptacles and the removal of any ampereage limitation will provide for GFCI protection to most receptacles commonly used in the specified areas of 210.8(A)(1) through (A)(11). These specified areas (*bathrooms, kitchens, laundry areas, etc.*) have been shown to justify the need for GFCI protection for 125-volt, 15- and 20-ampere receptacle outlets. 250-volt receptacle outlets (*dryer and range receptacles*) present similar shock hazards.

4

Adoption of the 2020 NEC

210.8 (F)-GFCI protection is required for all **125-volt through 250-volt** receptacle outlets supplied by single-phase branch circuits rated 150 volts or less to ground installed in outdoor locations. Additionally, **all outdoor outlets** for dwelling units that are supplied by single-phase branch circuits rated 150 volts to ground or less, **50 amperes or less** will now require GFCI protection

5

Adoption of the 2020 NEC



6

Adoption of the 2020 NEC

230.67 Surge Protection for Dwelling Units

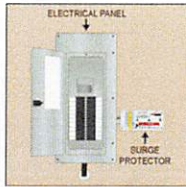
All services supplying dwelling units shall be provided with a surge protective device (SPD)

B) Location. The SPD shall be an integral part of the service equipment or shall be located immediately adjacent thereto.

D) Replacement. An SPD must be provided when service equipment is replaced

7

Adoption of the 2020 NEC



8

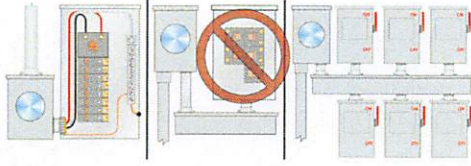
Adoption of the 2020 NEC

230.71(B) PERMITTED TWO TO SIX SERVICE DISCONNECTING MEANS PROHIBITED IN SAME ENCLOSURE

While the service disconnecting means for each service is still permitted to consist of not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, located in a group of separate enclosures, or in or on a switchboard or in switchgear, these up to six means of disconnect **will no longer be permitted to be mounted in a single enclosure.**

9

Adoption of the 2020 NEC



10

Adoption of the 2020 NEC

230.85 Exterior Emergency Disconnect(s) for Dwelling Units

All one- and two-family dwelling unit service conductors shall terminate in disconnecting means having a short-circuit current rating equal to or greater than the available fault current, installed in a readily accessible outdoor location. If more than one disconnect, required to be grouped.



11

Adoption of the 2020 NEC

210.12 Arc-fault Circuit-Interrupter Protection.....

2020 NEC: (A) Dwelling Unit. All 120-volt single-phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in dwelling unit **kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, laundry areas, or similar rooms** or areas shall be protected by any of the means described in 210.12(A)(1) through (6).

2017 NEC: (A) Dwelling Units. All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in dwelling unit **kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, laundry areas, or similar rooms** or areas shall be protected by any of the means described in 210.12(A)(1) through (6).

Change: 2014 NEC exempted bathrooms, garage and outdoor plugs. 2020 NEC does not allow this exemption.

12

Adoption of the 2020 NEC

COST-Surveyed (5) Electrical Contractors.

-Average cost increase for new house-\$500-\$800
Whole house Surge protection-\$100
GFCI for 30-50 amp-\$100 per outlet.
Additional Arc-fault-\$50 per breaker.

-Average cost for service upgrade-\$100
Whole house Surge Protection-\$100

13

Adoption of the 2020 NEC

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

(K) *The National Electrical Code, 2020 Edition* (NFPA 70), as promulgated by the National Fire Protection Association, except for the following, which shall amend and change said code only to the extent referenced:

(1) Article 230.70(A)(1) "Readily Accessible Location." Amend to read: "The disconnecting means shall be installed at a **readily accessible location outside of the building or structure served, and at the point of entrance of all conductors to the building.** The main service disconnect switch shall not be located more than **five (5) feet above finished grade.**"

14

Adoption of the 2020 NEC

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

(2) Article 624.11(3) "Uses Not Permitted." Amend to read:

- "(a) Types NM, NMC, and NPPC, Types NM and NMC cables shall not be used as follows:
- (1) As open run in dropped or suspended ceilings in other than one and two-family and multi-family dwellings.
 - (2) As service entrance cables.
 - (3) In any of the following types of occupancies:
 - a. Apartment house of less than 100 apartments or guests.
 - b. Any commercial building.
 - c. Any industrial building.
 - d. Educational buildings.
 - e. Churches and church auxiliary structures.
 - f. Public buildings.
 - (4) Embedded in poured concrete, concrete masonry.

15

Adoption of the 2020 NEC

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

- (3) Annexes A, B, C, D, E, F, G, I, and J are adopted.
- (4) Annex H is not adopted.

16

Adoption of the 2020 NEC

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

- Annex A-Product Safety Standards (i.e. UL numbers)
- Annex B-Application information of Ampacity Calculations
- Annex C-Conduit, tubing, and cable tray fill tables for conductor and wire sizes
- Annex D-Examples
- Annex E-Types of construction (table)
- Annex F-Critical operation power systems (i.e. Fire, police, hospital, ems)
- Annex G-Supervisory Control and Data Acquisition (SCADA)
- Annex H-Administration and Enforcement (is only a template for what is already in place) **NOT ADOPTED**
- Annex I-Tightening Torque Tables
- Annex J-ADA Standards

17
